

**From:** [Mark Grotefeld](#)  
**To:** [John McCoy](#)  
**Cc:** [Jim Klick](#); [John McCoy](#); [david.vansoest@tceq.texas.gov](#); [kelly.cook@tceq.texas.gov](#); [kathleen.decker@tceq.texas.gov](#); [susan.jablonski@tceq.texas.gov](#); [don.holmstrom@csb.gov](#); [daniel.horowitz@csb.gov](#); [chris.lyon@csb.gov](#); [johnnie.banks@csb.gov](#); [Quinones, Edwin](#); [Hayes, Mark](#); [lewis.jeffrey@dol.gov](#); [Le, Madeleine - SOL](#); [rector.jack@dol.gov](#); [Schoen, Michael - SOL](#); [Hayes Fuller](#); [Charles Keith](#); [Matt Wilber](#); [Mark Grotefeld](#); [Zona Jones](#); [Patrick Gareis](#); [Waylon Pickett](#); [Anooj Thakrar](#); [Kevin Mosley](#); [ktaunton@ttsslawfirm.com](#); [fredwilson@up.com](#); [Laurence Leavitt](#); [Brook Laskey](#); [Eugene LaFlamme](#); [Matt Rosek](#); [Lori Brown](#)  
**Subject:** Re: AN removal draft protocol  
**Date:** Sunday, May 26, 2013 6:40:31 PM

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John:

What inspections are you referring to taking place on June 3-4? You mention that the county sherif and police chief are insisting on 3-4, yet it was my understanding that the site has been turned over to Crane effective May 23rd.

Please clarify as when we last spoke the 3rd was to be a travel day for everyone and we were possibly meeting at the Knights of Columbus Hall that evening for a brief discussion, with the Crane debriefing and site inspection scheduled for June 4-5.

Regards,

Mark S. Grotefeld  
Grotefeld Hoffmann

On May 25, 2013, at 2:22 PM, "John McCoy" <[jmccoy@mlllaw.com](mailto:jmccoy@mlllaw.com)> wrote:

3-4 is date. Crane wanted 4-5 but the county sheriff and police chief insisted on 3-4. I am not happy with these dates as well. One of my experts is in trial with me. Another is in an inspection out East with another of my partners.

So, I like everyone else is being forced to make these dates work.

John

Sent from my iPhone

On May 25, 2013, at 1:59 PM, "Jim Klick" <[JKLICK@hhklawfirm.com](mailto:JKLICK@hhklawfirm.com)> wrote:

John: In your email you indicate inspections on June 3<sup>rd</sup> and 4<sup>th</sup>, but when we discussed this on Thursday last week, I understood that the inspections would be June 4<sup>th</sup> & 5<sup>th</sup>. Please clarify as I have been telling experts that the inspections will start the 4<sup>th</sup> through the 5<sup>th</sup>.

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**From:** John McCoy [<mailto:jmccoy@mlllaw.com>]  
**Sent:** Saturday, May 25, 2013 1:20 PM



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**To:** 'david.vansoest@tceq.texas.gov'; 'kelly.cook@tceq.texas.gov';  
'kathleen.decker@tceq.texas.gov'; 'susan.jablonski@tceq.texas.gov';  
'don.holmstrom@csb.gov'; 'daniel.horowitz@csb.gov'; 'chris.lyon@csb.gov';  
'johnnie.banks@csb.gov'; 'quinones.edwin@epa.gov'; 'hayes.mark@epa.gov';  
'lewis.jeffrey@dol.gov'; 'Le, Madeleine - SOL'; 'rector.jack@dol.gov'; Schoen,  
Michael - SOL; 'Hayes Fuller'; Charles Keith; Matt Wilber; 'Mark Grotefeld';  
'Zona Jones'; Jim Klick; 'Patrick Gareis'; 'Waylon Pickett'; 'Anooj Thakrar';  
'Kevin Mosley'; 'ktaunton@tsslawfirm.com'; 'fredwilson@up.com'  
**Cc:** Laurence Leavitt; Brook Laskey; Eugene LaFlamme; Matt Rosek; Lori  
Brown  
**Subject:** FW: AN removal draft protocol

All,

Attached is the drat protocol for AN removal at the site.

I understand state and federal agencies want the removal to occur as soon as possible and before the inspection of June 3-4.

This protocol was put together in consultation with the AN manufacturer. A representative of the AN manufacturer was brought on site on Wednesday of last week to observe the rail car and its contents.

I would like to get approval for TCEQ on this plan or advise of changes.

I understand that the railroad, UP, is interested in removing the railcar once the AN is removed. They are on this e-mail and we ask they coordinate with Crane Engineering for this removal. It will require a protocol that is acceptable to the people on this e-mail.

When we have an approved plan to remove the AN and railcar we will pick a date to implement the plan. We plan to video that removal and share with all "interested parties".

We do not intend to have all "interested parties" attend the removal of the AN or the railcar.

John

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**NEW:** [JMcCoy@MLLlaw.com](mailto:JMcCoy@MLLlaw.com)  
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**From:** Charles Keith [<mailto:chuckk@craneengineering.com>]

**Sent:** Thursday, May 23, 2013 8:55 PM

**To:** John McCoy

**Cc:** Matt Wilber

**Subject:** AN removal draft protocol

John

Here is a draft protocol for your review.

Please call to discuss

C

Charles G. Keith, P.E.  
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